

**IN THE COMMON PLEAS COURT OF MERCER COUNTY, OHIO
CIVIL DIVISION**

JENNIFER JOHNIDES
1516 Majorki Place
Celina, OH 45822

Case No.: 22-CIV-037

AND

JEFFREY JOHNIDES
1516 Majorki Place
Celina, OH 45822

FILED
11:37
JUN 13 2022

Shirley F. Jones
MERCER COUNTY CLERK OF COURTS
CELINA, OHIO

Sup. R. 37 Statistical Report
Classification _____

A

Plaintiffs

Judge:

v.

JORDAN BRUNSWICK M.D.
800 W. Main St.
Coldwater, OH 45828

COMPLAINT FOR DAMAGES;
JURY DEMAND HEREIN

Defendant

Now comes Plaintiffs, Jennifer Johnides and Jeff Johnides, by and through their undersigned counsel, Craig A. Gottschalk, and for their Complaint against Defendant Jordan Brunswick, MD timely states and alleges the following:

PARTIES AND JURISDICTION

1. Plaintiff Jennifer Johnides (hereinafter "Plaintiff") is an individual who at all times pertaining hereto resides in Mercer County, Ohio.

EXHIBIT

A

2. Plaintiff Jeffrey Johnides is an individual who at all times pertaining hereto resides in Mercer County, Ohio.
3. Defendant Jordan Brunswick, MD (hereinafter "Defendant Brunswick") is an individual who at all times pertaining hereto resides and/or works in Mercer County, Ohio.
4. Defendant Brunswick is a licensed physician with a professional address listed in Mercer County, Ohio.
5. Jurisdiction is proper in this Court because the alleged allegations occurred in Mercer County, Ohio.
6. Venue is proper in this Court because Defendant's acts and omissions giving rise to liability occurred in Mercer County, Ohio.

GENERAL ALLEGATIONS

7. Plaintiff incorporates each and all of the allegations contained in the foregoing paragraphs as though fully set forth herein.
8. On or about February 2, 2021, Defendant failed to properly treat Plaintiff.

FACTUAL ALLEGATIONS

9. On or about February 2, 2021, Plaintiff, recovering from a Covid-19 infection, presented herself to the Coldwater with chest pains, fever, shortness of breath and other ill feelings.
10. That staff at Coldwater Hospital, determined to rule out pneumonia or blood clots, began performing numerous tests to verify or eliminate possible causes.

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11. Plaintiff's situation was assessed by Defendant Brunswick and he immediately made the decision to perform a CT PE study, despite having reviewed blood work results that contra-indicted such a procedure.
12. Plaintiff immediately and repeatedly informed Defendant Brunswick and other Coldwater Hospital Staff that she has a severe allergy to the contrast used in such a procedure.
13. Defendant Brunswick simply discounted this knowledge and made his own decision that Plaintiff was simply "unsure if she was allergic to IV contrast dye" or "probably grew out of" said allergy and proceeded with the test, using the very same contrast to which Plaintiff had advised she had an extreme and serious allergy.
14. Plaintiff, in fact, suffered a devastating allergic reaction to the contrast, as she had feared and of which she had repeatedly warned.
15. Plaintiff endured, among other things, swelling of the face, extremities and mouth as well as difficulty breathing and swallowing, separate and distinct from any previous complaints or ailments.
16. That Plaintiff has suffered injuries forcing her to seek the services of an ENT physician, her family physician, various medical facilities and a chiropractor to treat the continuing pain and functional disabilities. Plaintiff has also suffered from newly-developed insomnia, anxiety and stress, caused by the negligence and malpractice of Defendant Brunswick, which has required additional costly and sometimes painful medical and therapeutic services.
17. An Affidavit of Merit has been duly executed notarized and attached hereto, marked as Exhibit A and specifically incorporated as if specifically rewritten herein.

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FIRST CAUSE OF ACTION: ASSAULT AND BATTERY

18. Plaintiff incorporates each and all of the allegations contained in the foregoing paragraphs as though fully set forth herein.
19. Defendant willfully, inappropriately and offensively touched Plaintiff in a way that was not medically necessary.
20. Plaintiff did not consent to the inappropriate, offensive contact that was procured on her by Defendant while she was asleep.
21. Defendant knew with substantial certainty that his act would bring about offensive or harmful contact.

SECOND CAUSE OF ACTION: MEDICAL MALPRACTICE

22. Plaintiff incorporates each and all of the allegations contained in the foregoing paragraphs as though fully set forth herein.
23. Defendant Brunswick did not provide the applicable standard of care when seeing Plaintiff at Coldwater Hospital.
24. Defendant Brunswick was negligent in his failure to render treatment in conformity with the applicable standard of care.
25. Defendant Brunswick's negligence proximately caused Plaintiff's injury.
26. As a result of Defendant Brunswick's actions, Plaintiff is damaged in excess of \$25,000.00.

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Charles J. Freeman
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CELINA, OHIO

**THIRD CAUSE OF ACTION: NEGLIGENT INFLECTION OF EMOTIONAL
DISTRESS**

27. Plaintiff incorporates each and all of the allegations contained in the foregoing paragraphs as though fully set forth herein.
28. Plaintiff reasonably appreciated the peril of Defendant's inappropriate conduct and behavior.
29. Plaintiff suffers serious and foreseeable emotional distress as a result of fear of Defendant's conduct.

FOURTH CAUSE OF ACTION: NEGLIGENCE

30. Plaintiff incorporates each and all of the allegations contained in the foregoing paragraphs as though fully set forth herein.
31. Defendant Brunswick, as Plaintiff's treating physician, had a duty to provide Plaintiff with proper medical services.
32. Defendant Brunswick's negligence is the actual and approximate cause of Plaintiff's damages.
33. As a result of Defendant Brunswick's negligence, Plaintiff is experiencing damages in excess of \$25,000.00 for the mental and emotional anguish and embarrassment Plaintiff has felt as a result of Defendant's conduct.

FIFTH CAUSE OF ACTION: LOSS OF CONSORTIUM

34. Plaintiff Jeffrey Johnides is the legal spouse and husband of Plaintiff Jennifer Johnides.

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CELINA, OHIO

35. As a direct and proximate result of Defendant's actions herein and the injuries sustained by his wife referred to above, Plaintiff Jeffrey Johnides has been denied the services and consortium of his wife.

36.

WHEREFORE, as a result of these and other unalleged acts for each of the causes of action pleaded hereafter, Plaintiffs pray for relief as set forth below.

- For damages in excess of \$25,000.00;
- For interest on the above amounts;
- For cost of suit;
- For attorney's fees;
- For other relief as the court may order.

Respectfully Submitted,

GOTTSCHALK LEGAL SERVICES, LLC
14975 CR 66A
St. Marys, OH 45885
Telephone 567-789-4357
Email: gottschalk.craig@gmail.com

~~ATTORNEY FOR PLAINTIFFS~~

~~By~~

~~Craig A. Gottschalk - 0068512~~

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Michael J. Thomas
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CELINA, OHIO

JURY DEMAND

Plaintiff demands a trial by jury for all issues presented in the above captioned case.

By 

Craig A. Gottschalk-0068512

INSTRUCTIONS FOR SERVICE

TO THE CLERK:

Please issue a copy of the foregoing Complaint on the Defendants at the above-listed address by certified mail, return receipt requested.

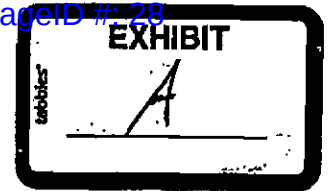
By 

Craig A. Gottschalk-0068512

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SHERI L. THOMAS
MERGER COUNTY CLERK OF COURTS
CELINA, OHIO



AFFIDAVIT OF MERIT

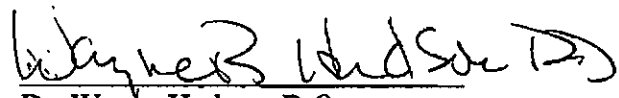
1. My name is Wayne Hudson. I am a physician licensed to practice medicine in the State of Colorado since 2009.
2. I am a graduate of Kirksville College of Osteopathic medicine in 1973.
3. I interned at Dallas Southwest Medical Center, completing the program in 1973-74.
4. I complete a surgery residency at Philadelphia College of Osteopathic Medicine in 1974-78.
5. I served as an assistant professor of surgery at the University of Kansas from 1978-80.
6. I served as a professor of surgery at the College of Osteopathic Medicine of the Pacific from 1990-94.
7. I was board certified in surgery from 1986 to 2009. I retired from the practice of surgery in 2009.
8. I serves a vice-chairman of the Washington State Board of Osteopathic Medical Licensure from 1990-94.
9. I was a senior surgical advisor to the Washington State Professional Review Organization in the 1980's.
10. I am a fellow in the American College of Osteopathic Surgeons since 1998.
11. I am board certified by the American Osteopathic Board of Surgery since 1986.
12. I devote at least one-half (1/2) of my professional time to the active clinical practice of medicine.
13. I have reviewed all reasonably available records of Plaintiff Jennifer Johnides, DOB 01-12-1971.
14. I am familiar with the applicable standard of care incumbent upon the physicians rendering medical treatment to Jennifer Johnides.
15. It is my opinion to a reasonable medical probability that the Defendant physician Jordan M. Brunswick, MD, breached the standard of care by failing to diagnose and properly treat Plaintiff Jennifer Johnides.
16. It is my further opinion that the physicians' failure to detect and acknowledge Ms. Johnides' stated allergies and his failure to properly treat Ms. Johnides' condition was the proximate cause of her injuries.

FILED

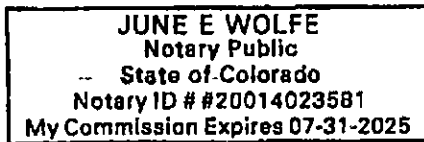
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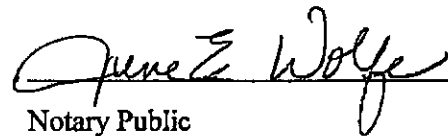
Shirley J. Thomas
MERGER COUNTY CLERK OF COURTS
CELINA, OHIO

Further Affiant Sayeth Naught.


Dr. Wayne Hudson, D.O.

Sworn to and subscribed in my presence this 29th day of April, 2022.




Notary Public

My commission expires: 07-31-2025

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